fendants caused a quantity of these tablets and capsules to be repacked and disposed of without a physician's prescription, which acts resulted in the drugs being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the labels of the repackaged drugs bore no statement of the quantity of the contents; and, Section 502 (f) (1), the labeling of the drugs failed to bear adequate directions for use.

Further misbranding, Section 502 (d), the *Tuinal capsules* contained chemical derivatives of barbituric acid, which derivatives have been found to be, and by regulations designated as, habit forming; and their labels failed to bear the name, and quantity or proportion of such derivatives and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (b) (1), the label of a portion of the *Benzedrine Sulfate tablets* failed to bear the name and place of business of the manufacturer, packer, or distributor; and, Section 502 (e) (1), all lots of the *Benzedrine Sulfate tablets* failed to bear labels containing the common or usual name of the tablets.

DISPOSITION: November 20, 1951. Pleas of nolo contendere having been entered, the court imposed a fine of $50 against each defendant.

DRUGS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

3730. Adulteration and misbranding of sulfathiazole and Sulmet. U. S. v. 4 Drums, etc. (F. D. C. No. 32044. Sample Nos. 30418–L, 30419–L.)

LIBEL FILED: November 23, 1951, District of Oregon.

ALLEGED SHIPMENT: On or about July 6, 1951, from New York, N. Y.

PRODUCT: 4 30-pound drums of *sulfathiazole* and 196 1-gallon jars of *Sulmet* at Portland, Oreg.

RESULTS OF INVESTIGATION: Investigation revealed that the products had been immersed in flood waters and that the labels had been obliterated.

NATURE OF CHARGE: Adulteration, Section 501 (a) (2), the articles had been held under insanitary conditions whereby they may have become contaminated with filth.

Misbranding, Sections 502 (b) (1) and (2), the articles failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 502 (e) (1), the labels of the articles failed to bear the common or usual name of the drugs.

DISPOSITION: February 11, 1952. Default decree of condemnation and destruction.

3731. Adulteration of psyllium husks (Plantago). U. S. v. 33 Bags * * *. (F. D. C. No. 32229. Sample No. 37199–L.)

LIBEL FILED: December 13, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about February 13, 1951, from India.

PRODUCT: 33 200-pound bags of *psyllium husks* (Plantago) at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the product consisted in whole or in part of a filthy substance by reason of the presence of insects. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 18, 1952. The Esscolloid Co., Inc., Minneapolis, Minn., claimant, having consented to the entry of a decree, judgment or condemnation was entered and the court ordered that the product be released under bond for the salvaging of the fit portion, under the supervision of the Food and Drug Administration. 6,302 pounds were salvaged.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS

3732. Adulteration of phenobarbital tablets. U. S. v. 13 Bottles * * *. (F. D. C. No. 32512. Sample No. 38451–L.)

LIBEL FILED: February 11, 1952, District of New Jersey.

ALLEGED SHIPMENT: On or about January 8, 1952, by Bonded Laboratories, Inc., from Brooklyn, N. Y.

PRODUCT: 13 bottles each containing 1,000 *phenobarbital tablets* at East Orange, N. J.

LABEL, IN PART: (Bottle) "1000 Pulvoids No. 462 Phenobarbital 1½ grains."

NATURE OF CHARGE: Adulteration, Section 501 (b), the strength of the article differed from, and its quality fell below, the standard established for *phenobarbital tablets* since the tablets contained less than 94 percent of the labeled amount of phenobarbital, the minimum permitted by the United States Pharmacopeia, and since they failed to meet the test for "Disintegration" specified in that compendium.

DISPOSITION: March 26, 1952. Default decree of condemnation and destruction.

3733. Adulteration of adhesive bandages. U. S. v. 21 Boxes * * *. (F. D. C. No. 32308. Sample No. 10456–L.)

LIBEL FILED: January 10, 1952, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about November 8, 1951, by Gotham Aseptic Laboratory Co., Inc., from Long Island City, N. Y.

PRODUCT: *Adhesive bandages.* 21 boxes, each containing 36 envelopes containing the article at Bay City, Mich.

LABEL, IN PART: (Envelope) "Skin-Tone Plain Gauze Pads Gotham Waterproof Six Sterile Bands Stickrite Adhesive Bandages."

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as a drug, "Adhesive Absorbent Bandage," the name of which is recognized in the United States Pharmacopoeia, an official compendium, and its quality and purity fell below the standard set forth in that compendium since it was not sterile as provided therein, but was contaminated with viable microorganisms.

DISPOSITION: March 28, 1952. Default decree of condemnation and destruction.

3734. Adulteration of rubber prophylactics. U. S. v. 175 Gross * * *. (F. D. C. No. 32369. Sample No. 13913–L.)

LIBEL FILED: January 2, 1952, District of Colorado.

ALLEGED SHIPMENT: A portion of the article was shipped by the Allied Latex Corp., from East Newark, N. J., on or about September 26, 1950, and the remainder was transported by Dixie Laboratories, a subisidiary of the Gibson Products Co., from Seagoville, Tex., on or about July 30, 1951.

PRODUCT: 175 gross of *rubber prophylactics* at Denver, Colo. Examination of 108 devices showed that 6, or 5.5%, were defective in that they contained holes.